

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
CLAUDIA BILDIRICI, on behalf of minor child,
LOTTIE BILDIRICI,

Plaintiff,

Affirmation of Attorney in Reply
to an Order to Show Cause

-against-

08 Civ. 3769 (LAK)

NEW YORK CITY DEPARTMENT OF EDUCATION,

Defendant.

-----X

AFFIRMATION OF ANTON PAPAKHIN

1. Anton Papakhin, an attorney duly licensed to practice law before this Court, affirms under the penalty of perjury that the following is true and correct:

That I am associated with the attorneys for the plaintiff herein and am familiar with the facts and circumstances herein, except as to those alleged upon information and belief, and as to those I verily believe them to be true.

2. That I make this Affirmation in Reply to this Honorable Court's instant Order to Show Cause why an order should not be entered requiring that the complaint and the caption be amended so as to set forth the names of all the parties in accordance with Fed. R. Civ. P. 10(a).

3. On May 5, 2008, in the interests of judicial economy and in accordance with this Court's prior decision in, S.R. and M.C. on behalf of M.C., et al v. Board of Education of the City School District of the City of New York, 49 IDELP 255, 108 LRP 14976, (SDNY 2008), the office of the undersigned has filed with this court an Amended Complaint setting forth names of all the parties in

accordance with Fed. R. Civ. P. 10(a). True and accurate copy of the Amended Complaint attached hereto as **Exhibit "A."**

Dated: Brooklyn, New York
May 6, 2008

Respectfully submitted,

Tikhomirov & Roytblat, PLLC
By: Anton Papakhin (AP 4680)
Attorney for Plaintiffs
1400 Avenue Z- Suite 403
Brooklyn, NY 11235
Tel:(718) 376-9500
(917) 270-1403
Fax:(718) 676-5649

CERTIFICATE OF SERVICE

I, the undersigned attorney of record for the Plaintiff in the above referenced cause, do hereby certify that I have this day served a true and complete copy of the foregoing Affirmation in Reply to Order to Show Cause by personal service, upon the following:

CORPORATION COUNSEL
OF THE CITY OF NEW YORK
100 CHURCH STREET
NEW YORK, NEW YORK 10007

Certified this the 6th day of May, 2008.

Anton Papakhin (AP 4680)

In the Matter of CLAUDIA BILDIRICI, on
behalf of minor child, LOTTIE BILDIRICI,
Plaintiffs,
v.

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 08 CV 3967

THE BOARD OF EDUCATION OF THE
CITY SCHOOL DISTRICT IF THE CITY OF
NEW YORK (d/b/a The department of
Education of the City School District of the
City of New York),

Defendant(s).

TO: NYC Department of Education
52 Chambers Street
New York, New York 10007

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFFS'
ATTORNEYS

Tikhomirov & Roytblat, PLLC
Anton Papakhin, Esq.
1400 Avenue Z – Suite 403
Brooklyn, NY 11235
Tel: (917) 270-1403
(718) 376-9500
Fax: (917) 270-1403

an answer to the complaint which is hereby served upon you, within 20 days after service of
this summons upon you, exclusive of the day of service. If you fail to do so, judgment by
default will be taken against you for the relief demanded in the complaint. Any answer that you
serve on the parties to this action must be filed with the clerk of this Court within a reasonable
period of time after service.

J. MICHAEL McMAHON
CLERK

Salecia Custis
(By) DEPUTY CLERK

MAY 05 2008

DATE

STATE OF NEW YORK)
COUNTY OF KINGS) SS.:

Nataliya Knyazeva, duly sworn deposes and says that deponent is not a party to the action, is over 18 years of age and resides at 1400 Avenue Z, Ste. 403, Brooklyn, NY 11235.

On May 5, 2008 deponent personally served the within **SUMMONS AND AMMENDED COMPLAINT** upon:

THE CITY OF NEW YORK
100 Church Street
New York, New York 10007

this being the address designated by said party for that purpose, by personal service.


Nataliya Knyazeva

Sworn to before me this
5th day of May, 2007


NOTARY PUBLIC
Alexander Roytblat
Notary Public, State of New York
No. 02R06171336
Qualified in Kings County
Expires on 07/23/2011